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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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PERMAN & GREEN
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EXAMINER	
PEREZ GUTIERREZ, RAFAEL	
ART UNIT	**PAPER NUMBER**
2686	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/989,047	Laakkonen	
	Examiner	Art Unit	
	Rafael Perez-Gutierrez	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 October 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-12,14 and 15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-12,14 and 15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 November 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Action is in response to Applicant's amendment filed on October 7, 2004. **Claims 1-4, 5-12, 14, and 15** are now pending in the present application. **This Action is made FINAL.**

Specification

2. The disclosure is objected to because of the following informalities:

a) On **page 2 lines 7 and 8**, replace "time. i.e." with --time, i.e.,-- after "Greenwich";

b) On **page 4 line 33**, replace "i.e." with --i.e.,-- after "device,";

c) On **page 5 line 6**, replace "i.e." with --i.e.,-- after "unambiguous,";

d) On **page 6 line 7**, replace "402" with --403-- after "Register" to provide concordance with what it is shown on **figure 4**; and

e) On **page 7 line 3**, replace "i.e." with --i.e.,-- after "connection,".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. **Claims 1-4, 6-8, 10-12, 14, and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Maeda (EP 0 516 124 A2)** in view of **Rignell et al. (U.S. Patent # 5,818,920)**.

Regarding **claim 1**, Maeda discloses a method for taking a time parameter into account in connection with call setup between a calling device and a destination device (A wireless handset of a cellular type wireless telephone apparatus or cordless telephone apparatus that employs means for determining the current time of an outgoing call; *col. 1, line 17-28; col. 2, lines 40-42; Fig. 1*), comprising the steps of: receiving from a user a command to set up a call to a certain destination device (Input means for receiving a name of the person to be telephoned; *col. 1, lines 7-10; col. 5, lines 20-21*), as a response to the command, determining a time parameter describing the time in the destination (Wherein after setting up a destination call, information is retrieved about said call, said information further comprising the local time of the country concerning the destination call; *col. 3, lines 36-53; col. 4, lines 3-6 and lines 18-27*), on the basis of the time parameter, determining a time difference between the place where the command to

set up a call is processed and the destination (Wherein the time difference between the user placing the call and the destination call is retrieved from memory; *col. 4, lines 16-27; col. 5, lines 19-39*), and indicating the determined time difference to the user (Wherein the wireless handset comprises display means for displaying the local time of the destination call once the time difference and time information between the originating call and said destination called is retrieved from memory; *col. 2, lines 9-11; col. 3, lines 22-30; col. 5, lines 40-42 and lines 49-54; Fig. 1, item 7*).

However, Maeda fails to disclose wherein said time parameter is obtained when a Home Location Register transmits to the device setting up the call, a time parameter of a mobile switching center under which the receiving device is at the moment of attempting the setting up of the call.

In the same field of endeavor, Rignell et al. disclose a method wherein a first mobile terminal calls a second mobile terminal, wherein the second terminal is located in a different time zone from that of the first terminal, furthermore a Public Switching Telephone Network (PSTN) determines, for example, from a Home Location Register the time zone in which the second terminal is located, said time zone information can be provided to the PSTN as part of an identification number of a network controller (i.e., base station, base station controller, mobile switching center) to which the second mobile terminal is assigned at the moment of attempting the call set-up (*col. 4, lines 44-60*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Maeda's method for determining time difference between mobile

terminals located in different time zones to include features for obtaining time zone information from a wireless communication network/system as taught by Rignell et al. for the purpose of accurately determining the differences in time between two different globally positioned terminals, relaying the operation for time determination to the network or system resources.

Regarding **claim 2**, Maeda, as modified by Rignell et al., discloses the claimed invention **as applied to claim 1 above** and, in addition, Maeda discloses wherein said time parameter is retrieved from a list of names and numbers, which exists in a memory (Wherein the telephone apparatus comprises a memory for storing information corresponding to names, numbers, and time differences; *col. 1, line 58 thru col. 2, line 2*).

Regarding **claim 3**, Maeda, as modified by Rignell et al., discloses the claimed invention **as applied to claim 1 above** and, in addition, Maeda discloses wherein said time parameter is retrieved from the characteristics of a group of stored names and numbers (Characteristics of a group of stored names and numbers such as time differences, company names, or the like; *col. 1, line 58 thru col. 2, line 2; col. 2, line 51 thru col. 3, line 3 and lines 15-17*).

Regarding **claim 4**, Maeda, as modified by Rignell et al., discloses the claimed invention **as applied to claim 1 above** and, in addition, Maeda discloses wherein said time parameter is retrieved from a look-up table (A look-up table such as a tabular data or numeric item values stored, wherein such tabular data comprises specific attributes or features classified into names, telephone numbers, and time differences; *col. 1, line 58 thru col. 2, line 2; col. 2, line 51 thru col. 3, line 3 and lines 15-17; col. 5, lines 24-27*), in which certain parts of telephone numbers of line telephone connections correspond to certain time parameters (Wherein a certain part of a

telephone number such as an area code corresponds to country local time; *col. 4, lines 3-6 and lines 22-27*).

Regarding **claim 6**, Maeda, as modified by Rignell et al., discloses the claimed invention **as applied to claim 1 above** and, in addition, Maeda discloses wherein in order to find out the time difference, the determined time of the destination is compared to the real time of the device in the control unit of the telephone device (Wherein the telephone device comprises a control unit such as a micro-computer for controlling the components (i.e. memory unit, and clock unit) included on the wireless handset, furthermore searching for names, and telephone numbers stored in memory, subsequently proceeding to process such information and in the event of controlling such components obtaining a current or real time concerning the wireless handset and a time difference between said current time and a local time concerning the destination call; *col. 3, line 45 thru col. 4, line 27; col. 5, lines 28-39*).

Regarding **claim 7**, and **as applied to claim 1 above**, Maeda, as modified by Rignell et al., discloses the aforementioned method, wherein the determined time difference is indicated to the user on a display of the device (*col. 2, lines 9-11; col. 3, lines 22-30; col. 5, lines 40-42 and lines 49-54; Fig. 1, item 7*).

However, Maeda fails to clearly specify wherein the time difference is indicated by a sound from a loudspeaker.

In the same field of endeavor, Rignell et al. disclose an apparatus, wherein the time difference is indicated by a sound from a loudspeaker (*col. 3, lines 39-43; col. 5, lines 15-19*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the

invention was made to have Maeda method for indicating time difference to a user on a display to include a feature for indicating the time difference by a sound from a loudspeaker as taught by Rignell et al. for the purpose of directing the user's attention to a mobile terminal when setting up a call to another communication terminal in case the line of sight of the user is not entirely focused on the mobile terminal when waiting for a response for indicating a time difference between the two mobile terminals.

Regarding **claim 8**, Maeda discloses an apparatus for taking a time parameter into account in connection with call setup (A wireless handset of a cellular type wireless telephone apparatus or cordless telephone apparatus that employs means for determining the current time of an outgoing call; *col. 1, line 17-28; col. 2, lines 40-42; Fig. 1*), comprising: means for producing real time information (Wherein the telephone apparatus comprises a clock circuit for generating a current or real time information; *col. 1, lines 55-58; col. 4, lines 21-22; col. 5 lines 19-23*), means for determining a time parameter describing the intended destination of a call as a response to a command to set up a call (Wherein the time difference between the user placing the call and the destination call is retrieved from memory; *col. 4, lines 16-27; col. 5, lines 19-39*), means for determining a time difference by means of the real time information and the time parameter (Means for determining a time difference by retrieving such from a memory unit and correlating such with a real/current time, and subsequently determining the local time of the destination call; *col. 4, line 16-27*), and means for indicating the determined time difference to a user (Wherein the wireless handset comprises display means for displaying the local time of the destination call once the time difference and time information between the originating call and

said destination called is retrieved from memory; *col. 2, lines 9-11; col. 3, lines 22-30; col. 5, lines 40-42 and lines 49-54; Fig. 1, item 7*).

However, Maeda fails to clearly specify wherein said time parameter is received from a home location register.

In the same field of endeavor, Rignell et al. disclose a method wherein a first mobile terminal calls a second mobile terminal, wherein the second terminal is located in a different time zone from that of the first terminal, furthermore a Public Switching Telephone Network (PSTN) determines for example from a Home Location Register the time zone in which the second terminal is located (*col. 4, lines 44-60*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Maeda method for determining time difference between mobile terminals located in different time zones to include features for received time zone information from a wireless communication network/system as taught by Rignell et al. for the purpose of accurately determining the differences in time between two different globally positioned terminals, relaying the operation for time determination to the network or system resources.

Regarding **claim 10**, Maeda, as modified by Rignell et al., discloses the claimed invention **as applied to claim 8 above** and, in addition, Maeda discloses the aforementioned apparatus, comprising a memory and a list of names and numbers stored therein for determining the time parameter (Wherein the telephone apparatus comprises a memory for storing information corresponding to names, numbers, and time differences, and searching means for searching those names and telephone numbers, subsequently proceeding to determine a local

time for those names and telephone numbers; *col. 1, line 58 thru col. 2, line 2; col. 5, lines 28-39*), so that in said list a stored time parameter corresponds to a stored name and number (Wherein a name and telephone number corresponds to a time difference between that name and telephone number concerning a placed destination call and the wireless handset; *col. 1, line 55 thru col. 2, line 11*).

Regarding **claim 11**, Maeda, as modified by Rignell et al., discloses the claimed invention **as applied to claim 8 above** and, in addition, Maeda discloses wherein the time parameter, which should be determined, has been stored in a memory as a property of a group of stored names and numbers (A time parameter such as time differences stored in memory as a property of a group or company; *col. 1, line 58 thru col. 2, line 2; col. 2, line 51 thru col. 3, line 3 and lines 15-17*).

Regarding **claim 12**, Maeda, as modified by Rignell et al., discloses the claimed invention **as applied to claim 8 above** and, in addition, Maeda discloses wherein the time parameter, which should be determined, has been permanently stored in a memory in a look-up table (A look-up table such as a tabular data or numeric item values stored, wherein such tabular data comprises specific attributes or features classified into names, telephone numbers, and time differences; *col. 1, line 58 thru col. 2, line 2; col. 2, line 51 thru col. 3, line 3 and lines 15-17; col. 5, lines 24-27*), in which certain parts of telephone numbers of line telephone connections correspond to certain time parameters (Wherein a certain part of a telephone number such as an area code corresponds to country local time; *col. 4, lines 3-6 and lines 22-27*).

Regarding **claim 14**, Maeda, as modified by Rignell et al., discloses the claimed

invention **as applied to claim 8 above** and, in addition, Maeda discloses wherein in order to determine the time difference; it includes means for comparing the determined time of the destination to the real time of the device in the control unit of the telephone device (Wherein the telephone device comprises a control unit such as a micro-computer for controlling the components (i.e. memory unit, and clock unit) included on the wireless handset, furthermore searching for names, and telephone numbers stored in memory, subsequently proceeding to process such information and in the event of controlling such components obtaining a current or real time concerning the wireless handset and a time difference between said current time and a local time concerning the destination call; *col. 3, line 45 thru col. 4, line 27; col. 5, lines 28-39*).

Regarding **claim 15**, Maeda, as modified by Rignell et al., discloses the claimed invention **as applied to claim 8 above** and, in addition, Maeda discloses wherein the determined time difference is indicated to the user on a display of the device (*col. 2, lines 9-11; col. 3, lines 22-30; col. 5, lines 40-42 and lines 49-54; Fig. 1, item 7*).

However, Maeda fails to clearly specify wherein the time difference is indicated by a sound from a loudspeaker.

In the same field of endeavor, Rignell et al. disclose an apparatus, wherein the time difference is indicated by a sound from a loudspeaker (*col. 3, lines 39-43; col. 5, lines 15-19*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Maeda's apparatus for indicating time difference to a user on a display to include a feature for indicating the time difference by a sound from a loudspeaker as taught by Rignell et al. for the purpose of directing the user's attention to a mobile terminal when

setting up a call to another communication terminal in case the line of sight of the user is not entirely focused on the mobile terminal when waiting for a response for indicating a time difference between the two mobile terminals.

5. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Maeda (EP 0 516 124 A2)** in view of **Rignell et al. (U.S. Patent # 5,818,920) as applied to claim 8 above**, and further in view of **Alanara (GB 2 284 965 A)**.

Regarding **claim 9**, Maeda, as modified by Rignell et al., discloses the claimed invention **as applied to claim 8 above** and, in addition, Maeda discloses that the aforementioned apparatus comprises a real time clock.

However, Maeda, as modified by Rignell et al., fails to clearly specify the real time clock for keeping it continuously in real time.

In the same field of endeavor, Alanara discloses a radio telephone comprising a clock that displays the present time within the locality of the telephone, wherein such present time is continuously kept in present time concerning the area where the radio telephone is located, as the radio telephone changes from area to another (*Page 2, lines 12-28; Page 3, lines 18-25; Page 11-14; Page 5, lines 4-30*).

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to have Maeda, as modified by Rignell et al., method for determining time difference between different time zones to include continuously updating features for keeping a real time according to the location of a mobile telephone as taught by Alanara for the purpose of,

maintaining a real time as the mobile telephone moves from locations having different time zones, instead of manually configuring such real time when calculating time differences without taking in account the fact of large-scale (worldwide) mobility.

Response to Arguments

6. Applicant's arguments filed October 7, 2004 have been fully considered but they are not persuasive.

In the present application, Applicant basically argues, on page 8 of the remarks, that the combination of Maeda and Rignell et al. does not teach the claimed invention because in the claimed invention "the received time information of the receiver (called) party is used for determining the time difference in the sending device" and that the "Home Location Register transmits the time parameter to the device setting up the call".

The Examiner respectfully disagrees with Applicant argument because of the following reasons:

a) Nowhere in **claim 1 or 8** it is specifically recited that the time difference is determined in the sending device. The current claim language is broad enough to be met by the combination of Maeda and Rignell et al. because it only recites "on the basis of time parameter, determining a time difference **between** the place where the command to set up a call is processed and the destination" and does not set forth where this determination is made. Just because a time parameter has been transmitted to the calling device does not limit the claim to have the calling

device determining the time difference as Applicant is arguing. The time difference can be determined either in the calling device or in the network since they both have the time parameter for making that determination.

b) In the combination of Maeda and Rignell et al. it is clearly taught that the HLR transmits the time parameter to the device setting up the call when Rignell et al. disclose that "the PSTN (20) determines, for example from a Home Local Register (HLR) (not shown) of the PLMN, the time zone (Time Zone 2) in which mobile terminal C is currently located" (column 4 lines 53-56), "the information about the local time of the time zone of mobile terminal C is forwarded to the first subscriber at terminal A where the information is presented, for example, on a display or as a voice request through a loudspeaker (not shown)" (column 4 lines 60-64), wherein the first subscriber at terminal A can confirm that the call should be connected to the subscriber at terminal C (column 4 lines 65 and 66).

Therefore, in view of the above reasons and having addressed each of Applicant's arguments, the previous rejection is maintained and made FINAL by the Examiner.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any response to this Office Action should be **faxed to** (703) 872-9306 **or mailed to**:

Commissioner for Patents
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Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Rafael Perez-Gutierrez whose telephone number is (571) 272-7915. The Examiner can normally be reached on Monday-Thursday from 6:30am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's

supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Rafael Perez-Gutierrez
R.P.G./rpg **RAFAEL PEREZ-GUTIERREZ**
PATENT EXAMINER
May 28, 2005